IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

Chamber Summons No. 290 of 2006
in
Sum Suit No. 354 of 2004

Lokhandwala Const Ind Pvt Ltd.. plaintiffs
vs
Itus Elevator Co Ltd and ors... defendants
and
United White Metal Ltd.. respondents

Mr D H Mehta with Divya Shah for plaintiffs

Mr D.J Kaklia for Mull and Mulla for defendants

Ms Sapna Samant for respondents

Mr Dinesh Joshi i/b Little and co for defendant

CORAM: S.C.DHARMADHIKARI J.

DATED l8.4.2006

P.C.

l. Heard Mr. Mehta for the plaintiffs. The defendant no.l during the course of the proceedings has made a statement that the respondents herein has been inducted in the suit premises. The chamber summons is , therefore, to bring the subsequent events on record as also to implead the respondents as party defendants. Considering the nature of the relief i.e. possession of the immovable property on the basis of the title, to avoid multiplicity of proceedings, the present chamber summons can be granted. Accordingly it is

made absolute in terms of prayer clauses (a) and (b).

2. Upon the amendment being carried out and amended plaint being served on other side, it would be open for the defendant including newly added defendant to file written statement or additional written statement and that be done within a period of six weeks from the date of receipt of the amended plaint. After the amended plaint is served it would be open for the plaintiffs to take out appropriate proceedings so far as the reliefs in terms of prayer clause (c) of the chamber summons. All contentions of both sides in that behalf are kept open. Chamber summons is disposed of accordingly. No order as to costs.